

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re : Chapter 11  
MARCUS LEE ASSOCIATES, L.P. :  
Debtor : Bankruptcy No. 09-11037bf

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MARCUS LEE ASSOCIATES, L.P. :  
Plaintiff :  
v. :  
WACHOVIA BANK, N.A. :  
Defendant : Adversary No. 09-0143

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MERIDIAN OF VALLEY SQUARE :  
CONDOMINIUM ASSOCIATION, INC. :  
Plaintiff :  
v. :  
WACHOVIA BANK, N.A. :  
Defendant : Adversary No. 09-0144

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ORDER  
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AND NOW, this 23rd day of December 2009, for the reasons stated in the accompanying memorandum, it is hereby ordered as follows:

1. Defendant Wachovia's motion to dismiss Adv. No. 09-0144 is granted as the plaintiff therein has no third party beneficiary standing to assert claims against the defendant; and

2. Defendant Wachovia's motion to dismiss Adv. No. 09-0143 is granted, but the debtor/plaintiff is granted leave to amend its complaint in a manner consistent with Part VII of the memorandum. Any such amendment shall be filed and served on or before January 11, 2010.



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BRUCE FOX

United States Bankruptcy Judge

copies to:

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